



5-20-05

153
TCW

PTO/SB/21 (09-04)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number

09/928,590

Filing Date

August 13, 2001

First Named Inventor

Spence, Charles F.

Art Unit

1753

Examiner Name

Jeffrey Thomas Barton

Attorney Docket Number

20174C-000620US

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply (8 pgs)



After Final



Affidavits/declaration(s)



Extension of Time Request (1 pg)



Express Abandonment Request



Information Disclosure Statement



Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional ApplicationPower of Attorney, Revocation
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):

Return Postcard

Certified Copy of Priority
Document(s)Reply to Missing Parts/ Incomplete
ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Remarks

The Commissioner is authorized to charge any additional fees to Deposit
Account 20-1430.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Randolph Ted Apple

Date

May 18, 2005

Reg. No.

36,429

CERTIFICATE OF TRANSMISSION/MAILING

Express Mail Label: EV 530 893 053 US

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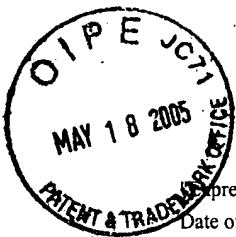
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Jordan Magat

Date

05/18/2005



Express Mail" Label No. EV 530 893 053 US
Date of Deposit May 18, 2005

PATENT
Attorney Docket No.: 20174C-000620US
Client Ref. No.: CIT 2920-CIP-D

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By:


Jordan Magat

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Charles F. Spence, et. al

Application No.: 09/928,590

Filed: August 13, 2001

For: MICRO-FABRICATED CELL
SORTER FOR CHEMICAL AND
BIOLOGICAL MATERIALS

Customer No.: 20350

Confirmation No. 7906

Examiner: Jeffrey Thomas Barton

Technology Center/Art Unit: 1753

RESPONSE
TO NOTICE OF
NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Notice of Non-Compliant Amendment mailed April 26, 2005, and supplements the Amendment mailed April 4, 2005. As this paper is filed within the one month period set in the Notice mailed April 26, 2005, no extension of time is required.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.